Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

Ent 235888 Bk 419 Pt 93
Date: 15-FEB-2008 10:43AM
Fee: Nome
Filed By: CP
BRUCE BROWN, Recorder
BEAVER COUNTY CORPORATION
For: GOVERNOR OF THE STATE OF UTAH

#### THE STATE OF UTAH

# TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

**Know ye,** This is an Amended Acknowledgment and Amended Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Beaver County as it pertains to the highway located in Beaver County known as CAVE CANYON ROAD; County Road Number: B-9; State Geographic Information Database (SGID) Road Identification Number: RD010170. Total road length is 2.62 miles more or less.

This Amended Acknowledgment and Amended Notice of Acknowledgment supersedes the information contained in the Acknowledgment recorded at Ent 232946, Bk 409, Beg Pg 357.

The reason for this Amended Acknowledgment and Amended Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Amended Acknowledgment and Amended Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference.

A printed copy of this Amended Acknowledgment and Amended Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Amended Acknowledgment and Amended Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Amended Acknowledgment and Amended Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Amended Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 15th day of 14wary, 200 8.

By the Governor's Designee

John Harja

### **CERTIFICATION**

State of Utah ) : ss County of Salt Lake )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

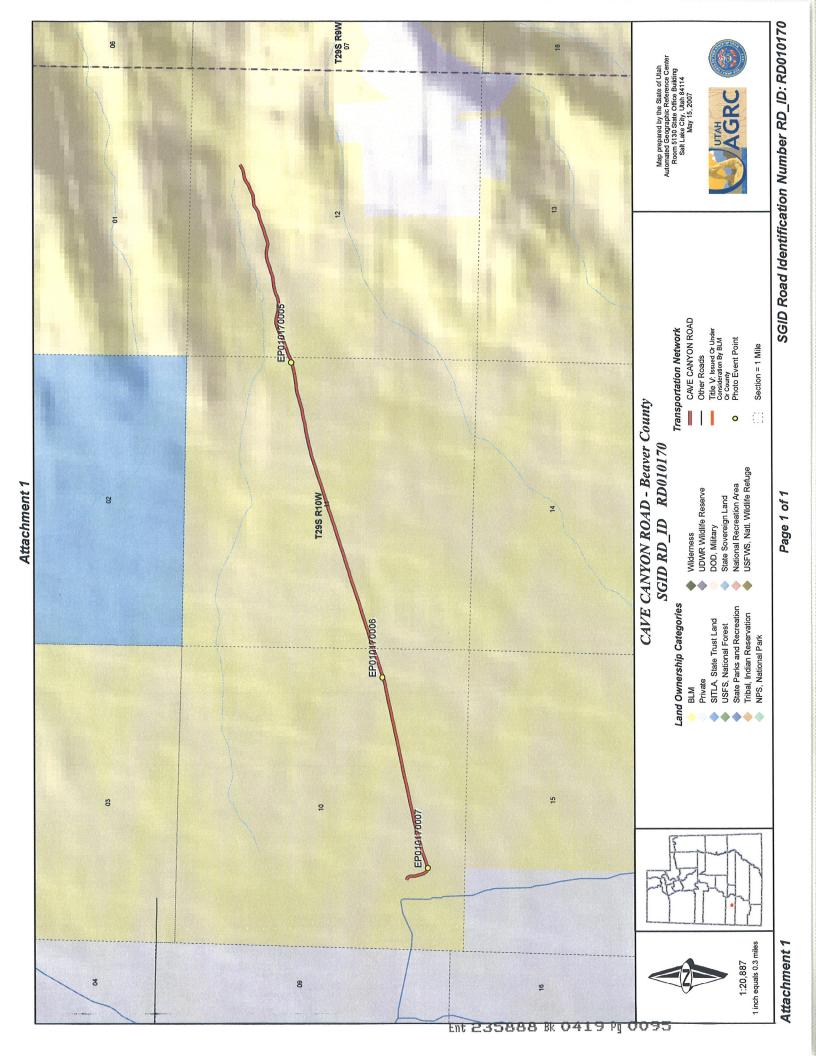
Dated this 15 day of 3, 2008

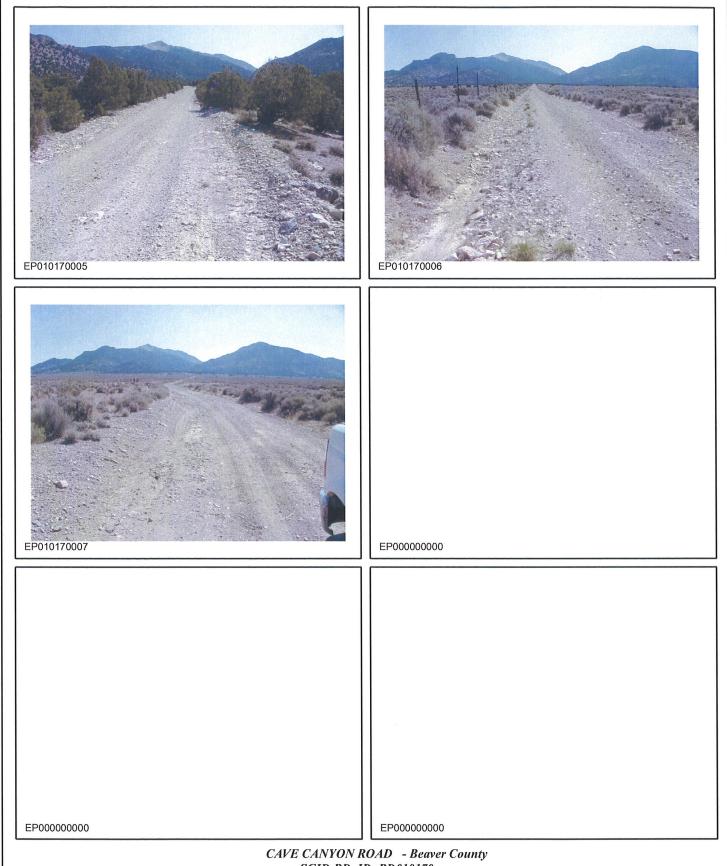
Notary Public

NOTARY PUBLIC
FRAN FISH
CAPITOL COMPLEX E-325
PO BOX 140760
SALT LAKE CITY, UT 84114
COMMISSION EXPIRES
FEBRUARY 29, 2008
STATE OF UTAH

Page 2 of 2 SGID Road Identification Number RD ID: RD010170

FinalNotice







SGID RD\_ID RD010170

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 April 17, 2007



## **Attachment 3**

### Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: CAVE CANYON ROAD

County: Beaver

County Road Number: B-9

State Geographic Information Database (SGID) Road Identification Number: RD010170.

Total Road Length: 2.62 miles more or less.

**Beginning at a point** on the road centerline located at 38 degrees 17 minutes 49.25 seconds North Latitude and -112 degrees 58 minutes 05.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,219,039.5 feet and Y = 10,439,464.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 18 minutes 21.55 seconds North Latitude and -112 degrees 55 minutes 23.28 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,232,049.8 feet and Y = 10,442,530.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 10 West, Section(s) 10,11,12, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

# Attachment 4 Road Centerline Description Cover Page(s)

**Popular Name: CAVE CANYON ROAD** 

County: Beaver

County Road Number: B-9

State Geographic Information Database (SGID) Road Identification Number: RD010170.

Total Road Length: 2.62 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD_ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD010170	001	BLM	<b>2.62 Miles</b>	A
		Total Road Length	2.62	

<sup>\*</sup> Indicates that a Title V permit will be requested, is in process, or has been issued.

<sup>†</sup> Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Amended Acknowledgment and Amended Notice of Acknowledgment.

#### Appendix A to Attachment 4

Popular Name: CAVE CANYON ROAD

County: Beaver

County Road Number: B-9

State Geographic Information Database (SGID) Road Identification Number: RD010170.

Road-Segment Number: 001

Road-Segment Length: 2.62 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 29 South Range 10 West, Section(s) 10,11,12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CAVE CANYON ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 38 degrees 17 minutes 49.25 seconds North Latitude and -112 degrees 58 minutes 05.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,219,039.5 feet and Y = 10,439,464.2 feet; thence the following courses along the said road center line:

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thence South 70 Degrees 20 Minutes 14 Seconds East thence South 31 Degrees 01 Minutes 12 Seconds East thence South 01 Degrees 11 Minutes 18 Seconds East thence South 14 Degrees 59 Minutes 34 Seconds East thence South 19 Degrees 58 Minutes 27 Seconds East thence South 36 Degrees 38 Minutes 50 Seconds East thence South 80 Degrees 20 Minutes 54 Seconds East thence North 79 Degrees 20 Minutes 42 Seconds East 56.7 feet thence North 75 Degrees 22 Minutes 19 Seconds East 50.5 feet thence North 69 Degrees 07 Minutes 24 Seconds East 50.5 feet thence North 68 Degrees 38 Minutes 31 Seconds East 50.3 feet
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thence North 68 Degrees 31 Minutes 47 Seconds East 48.2 feet
thence North 69 Degrees 01 Minutes 57 Seconds East 48.4 feet
thence North 72 Degrees 17 Minutes 10 Seconds East 57.1 feet
thence North 76 Degrees 22 Minutes 51 Seconds East 55.6 feet
thence North 77 Degrees 15 Minutes 54 Seconds East 53.4 feet
thence North 75 Degrees 09 Minutes 25 Seconds East 56.3 feet
thence North 75 Degrees 42 Minutes 58 Seconds East 62.5 feet
thence North 73 Degrees 39 Minutes 23 Seconds East 66.6 feet
thence North 73 Degrees 34 Minutes 41 Seconds East 66.2 feet
thence North 75 Degrees 18 Minutes 34 Seconds East 82 feet
thence North 76 Degrees 58 Minutes 47 Seconds East 119.4 feet
thence North 76 Degrees 50 Minutes 51 Seconds East 121.1 feet
thence North 77 Degrees 29 Minutes 52 Seconds East 105.7 feet
thence North 77 Degrees 18 Minutes 10 Seconds East 107.2 feet
thence North 77 Degrees 20 Minutes 43 Seconds East 115.2 feet
thence North 78 Degrees 06 Minutes 29 Seconds East 112.9 feet
thence North 77 Degrees 51 Minutes 28 Seconds East 115.3 feet
thence North 77 Degrees 24 Minutes 05 Seconds East 121.9 feet
thence North 77 Degrees 58 Minutes 01 Seconds East 109.9 feet
thence North 78 Degrees 15 Minutes 49 Seconds East 104.4 feet
thence North 78 Degrees 14 Minutes 25 Seconds East 114.1 feet
thence North 77 Degrees 28 Minutes 16 Seconds East 127.2 feet
thence North 77 Degrees 49 Minutes 48 Seconds East 123 feet
thence North 78 Degrees 29 Minutes 26 Seconds East 121.7 feet
thence North 77 Degrees 37 Minutes 37 Seconds East 124.1 feet
thence North 77 Degrees 56 Minutes 27 Seconds East 129 feet
thence North 77 Degrees 38 Minutes 47 Seconds East 127.5 feet
thence North 77 Degrees 36 Minutes 23 Seconds East 120.8 feet
thence North 78 Degrees 01 Minutes 32 Seconds East 107.2 feet
thence North 78 Degrees 22 Minutes 10 Seconds East 112.1 feet
thence North 78 Degrees 27 Minutes 34 Seconds East 123.1 feet
thence North 77 Degrees 02 Minutes 02 Seconds East 52.5 feet
thence North 77 Degrees 35 Minutes 05 Seconds East 28.2 feet
thence North 80 Degrees 53 Minutes 20 Seconds East 32.2 feet
thence North 78 Degrees 48 Minutes 39 Seconds East 41.8 feet
thence North 76 Degrees 33 Minutes 23 Seconds East 54.9 feet
thence North 73 Degrees 30 Minutes 26 Seconds East 68.3 feet
thence North 70 Degrees 52 Minutes 29 Seconds East 80.4 feet
thence North 71 Degrees 29 Minutes 25 Seconds East 96.7 feet
thence North 72 Degrees 20 Minutes 46 Seconds East 107.9 feet
thence North 71 Degrees 14 Minutes 40 Seconds East 99.6 feet
thence North 71 Degrees 35 Minutes 01 Seconds East 87.7 feet
thence North 70 Degrees 47 Minutes 57 Seconds East 80.1 feet
thence North 70 Degrees 20 Minutes 38 Seconds East 19.8 feet
thence North 70 Degrees 20 Minutes 41 Seconds East 59.5 feet
thence North 71 Degrees 28 Minutes 49 Seconds East 75.6 feet
thence North 71 Degrees 44 Minutes 13 Seconds East 72.4 feet
thence North 74 Degrees 09 Minutes 19 Seconds East 67.4 feet
thence North 71 Degrees 25 Minutes 19 Seconds East 67 feet
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thence North 72 Degrees 37 Minutes 00 Seconds East 69.3 feet
thence North 71 Degrees 47 Minutes 08 Seconds East 76.9 feet
thence North 72 Degrees 13 Minutes 33 Seconds East 78.8 feet
thence North 73 Degrees 21 Minutes 35 Seconds East 75.9 feet
thence North 71 Degrees 28 Minutes 26 Seconds East 77.7 feet
thence North 72 Degrees 11 Minutes 18 Seconds East 81.9 feet
thence North 72 Degrees 07 Minutes 49 Seconds East 80.5 feet
thence North 72 Degrees 20 Minutes 29 Seconds East 70.5 feet
thence North 71 Degrees 14 Minutes 40 Seconds East 69.5 feet
thence North 71 Degrees 19 Minutes 47 Seconds East 69.8 feet
thence North 71 Degrees 09 Minutes 21 Seconds East 67.1 feet
thence North 71 Degrees 58 Minutes 03 Seconds East 65.8 feet
thence North 72 Degrees 06 Minutes 58 Seconds East 75 feet
thence North 71 Degrees 35 Minutes 45 Seconds East 67.6 feet
thence North 73 Degrees 58 Minutes 54 Seconds East 52.1 feet
thence North 72 Degrees 52 Minutes 52 Seconds East 54.5 feet
thence North 72 Degrees 11 Minutes 57 Seconds East 62.3 feet
thence North 72 Degrees 19 Minutes 31 Seconds East 77 feet
thence North 72 Degrees 21 Minutes 05 Seconds East 85.9 feet
thence North 72 Degrees 19 Minutes 31 Seconds East
                                                    82.5 feet
thence North 72 Degrees 21 Minutes 12 Seconds East
                                                    80.4 feet
thence North 71 Degrees 14 Minutes 40 Seconds East 79.9 feet
thence North 71 Degrees 39 Minutes 53 Seconds East 84.9 feet
thence North 72 Degrees 28 Minutes 51 Seconds East 86.5 feet
thence North 71 Degrees 36 Minutes 51 Seconds East
                                                    80.4 feet
thence North 71 Degrees 59 Minutes 54 Seconds East
                                                    78.9 feet
thence North 71 Degrees 36 Minutes 34 Seconds East 81.4 feet
thence North 71 Degrees 01 Minutes 48 Seconds East 83.1 feet
thence North 72 Degrees 04 Minutes 36 Seconds East 85.7 feet
thence North 72 Degrees 07 Minutes 09 Seconds East 81.6 feet
thence North 69 Degrees 31 Minutes 31 Seconds East 65.7 feet
thence North 74 Degrees 28 Minutes 37 Seconds East 62.6 feet
thence North 73 Degrees 33 Minutes 58 Seconds East 61.5 feet
thence North 72 Degrees 16 Minutes 36 Seconds East 69.1 feet
thence North 71 Degrees 33 Minutes 27 Seconds East 75.9 feet
thence North 73 Degrees 16 Minutes 35 Seconds East 79 feet
thence North 72 Degrees 33 Minutes 38 Seconds East 85.8 feet
thence North 71 Degrees 40 Minutes 12 Seconds East 83.8 feet
thence North 71 Degrees 40 Minutes 51 Seconds East 81.8 feet
thence North 71 Degrees 10 Minutes 18 Seconds East 81.7 feet
thence North 71 Degrees 59 Minutes 00 Seconds East 88.5 feet
thence North 71 Degrees 53 Minutes 44 Seconds East 91.3 feet
thence North 72 Degrees 18 Minutes 02 Seconds East 90.1 feet
thence North 73 Degrees 05 Minutes 00 Seconds East 87.3 feet
thence North 76 Degrees 15 Minutes 27 Seconds East 89 feet
thence North 76 Degrees 05 Minutes 42 Seconds East 90.8 feet
thence North 77 Degrees 29 Minutes 27 Seconds East 83.9 feet
thence North 77 Degrees 55 Minutes 46 Seconds East 83.8 feet
thence North 80 Degrees 15 Minutes 11 Seconds East 86.1 feet
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thence North 79 Degrees 17 Minutes 11 Seconds East 76.4 feet
thence North 78 Degrees 33 Minutes 59 Seconds East 74.9 feet
thence North 77 Degrees 01 Minutes 56 Seconds East 68.9 feet
thence North 78 Degrees 42 Minutes 58 Seconds East 63.8 feet
thence North 82 Degrees 07 Minutes 23 Seconds East 64.9 feet
thence North 82 Degrees 02 Minutes 20 Seconds East 54.3 feet
thence North 75 Degrees 31 Minutes 48 Seconds East 40.3 feet
thence North 72 Degrees 54 Minutes 10 Seconds East 46.6 feet
thence North 72 Degrees 37 Minutes 34 Seconds East 55.9 feet
thence North 74 Degrees 09 Minutes 19 Seconds East 79.7 feet
thence North 73 Degrees 10 Minutes 30 Seconds East 37 feet
thence North 73 Degrees 52 Minutes 15 Seconds East 56.6 feet
thence North 78 Degrees 38 Minutes 19 Seconds East 82.2 feet
thence North 84 Degrees 15 Minutes 45 Seconds East
                                                    76.5 feet
thence North 80 Degrees 56 Minutes 00 Seconds East 82 feet
thence North 80 Degrees 33 Minutes 51 Seconds East 89.1 feet
thence North 79 Degrees 03 Minutes 35 Seconds East
                                                    90.8 feet
thence North 77 Degrees 32 Minutes 41 Seconds East 98.3 feet
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thence North 67 Degrees 04 Minutes 22 Seconds East 40.5 feet
thence North 67 Degrees 04 Minutes 22 Seconds East 67.9 feet
thence North 69 Degrees 02 Minutes 31 Seconds East 108 feet
thence North 70 Degrees 56 Minutes 51 Seconds East 100.1 feet
thence North 66 Degrees 59 Minutes 08 Seconds East 97.8 feet
thence North 63 Degrees 17 Minutes 23 Seconds East 96 feet
thence North 65 Degrees 13 Minutes 14 Seconds East 103.8 feet
thence North 74 Degrees 00 Minutes 00 Seconds East 97.1 feet
thence South 89 Degrees 07 Minutes 22 Seconds East 94.2 feet
thence South 70 Degrees 44 Minutes 50 Seconds East 78.3 feet
thence South 81 Degrees 11 Minutes 24 Seconds East 37.2 feet
thence South 87 Degrees 13 Minutes 34 Seconds East 24.3 feet
thence South 86 Degrees 58 Minutes 55 Seconds East 39.4 feet
thence South 85 Degrees 55 Minutes 18 Seconds East 38.5 feet
thence South 87 Degrees 21 Minutes 34 Seconds East 38.1 feet
thence South 88 Degrees 54 Minutes 42 Seconds East 40 feet
thence North 84 Degrees 16 Minutes 32 Seconds East 48.8 feet
thence North 71 Degrees 33 Minutes 07 Seconds East 58 feet
thence North 65 Degrees 40 Minutes 50 Seconds East 52.4 feet
thence North 68 Degrees 56 Minutes 39 Seconds East 49.1 feet
thence North 70 Degrees 10 Minutes 37 Seconds East 50.1 feet
thence North 80 Degrees 52 Minutes 40 Seconds East 51.5 feet
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thence North 83 Degrees 54 Minutes 05 Seconds East 55.4 feet
thence North 81 Degrees 51 Minutes 51 Seconds East 50.7 feet
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thence North 73 Degrees 21 Minutes 23 Seconds East 47.9 feet
thence North 74 Degrees 14 Minutes 46 Seconds East 55.5 feet
thence North 71 Degrees 39 Minutes 35 Seconds East 57.3 feet
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thence North 70 Degrees 04 Minutes 31 Seconds East 50.8 feet
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thence North 79 Degrees 28 Minutes 32 Seconds East 33.3 feet
thence North 84 Degrees 34 Minutes 38 Seconds East 36.9 feet
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thence South 77 Degrees 45 Minutes 10 Seconds East 52.8 feet
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thence North 71 Degrees 31 Minutes 36 Seconds East 63.2 feet
thence North 71 Degrees 47 Minutes 00 Seconds East 66.2 feet
thence North 73 Degrees 37 Minutes 24 Seconds East 70 feet
thence North 71 Degrees 40 Minutes 31 Seconds East 69 feet
thence North 67 Degrees 42 Minutes 18 Seconds East 60.5 feet
thence North 67 Degrees 06 Minutes 45 Seconds East 54.7 feet
thence North 70 Degrees 24 Minutes 26 Seconds East 49.7 feet
thence North 80 Degrees 19 Minutes 22 Seconds East 58.5 feet
thence North 79 Degrees 24 Minutes 08 Seconds East 60.7 feet
thence North 59 Degrees 08 Minutes 37 Seconds East 67.8 feet
thence North 55 Degrees 24 Minutes 36 Seconds East 81 feet
thence North 82 Degrees 47 Minutes 23 Seconds East 79.3 feet
thence North 87 Degrees 27 Minutes 09 Seconds East 59.1 feet
thence North 79 Degrees 18 Minutes 31 Seconds East 51 feet
thence North 64 Degrees 33 Minutes 23 Seconds East 64.1 feet
thence North 65 Degrees 25 Minutes 05 Seconds East 25.6 feet
thence North 66 Degrees 31 Minutes 52 Seconds East 49.2 feet
thence North 67 Degrees 59 Minutes 04 Seconds East 65.7 feet
thence North 56 Degrees 54 Minutes 39 Seconds East 67.9 feet
thence North 59 Degrees 18 Minutes 01 Seconds East 66.2 feet
thence North 81 Degrees 05 Minutes 11 Seconds East 74.7 feet
thence North 76 Degrees 58 Minutes 47 Seconds East 95.5 feet
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thence North 60 Degrees 18 Minutes 38 Seconds East 93 feet more or less to **the ending point** at: 38 degrees 18 minutes 21.55 seconds North Latitude and -112 degrees 55 minutes 23.28 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,232,049.8 feet and Y = 10,442,530.2 feet.